



Ryan C. Gregerson #12528

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*Attorney for Petitioner*

IN THE SECOND DISTRICT COURT, IN AND FOR DAVIS COUNTY, STATE OF UTAH	
LAUREN R. MARSH (nka ZIMMER), Petitioner,  v.  KIRK RUSSEL MARSH, Respondent.	<b>ORDER FROM HEARING DATED APRIL 1, 2021</b>  Case No. 184701031 Judge: Michael Edwards Commissioner: Christina Wilson

This matter came on regularly before the Honorable Judge Michael Edwards on April 1, 2021, for an expedited phone conference on Petitioner's Request for Clarification Regarding Reunification Therapist's Recommendations. The Petitioner was virtually present and was represented by Kelli J. Larson of Pearson Butler. The Respondent was virtually present and was represented by D. Michael Nielsen. Based upon the pleadings on file herein, argument presented by the parties, and for good cause appearing therefore

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED**

1. The court finds that it would not be in the best interests of the minor children to change reunification therapists. The court further finds that the reunification therapy process is not complete. It is in the children's best interests to complete the reunification therapy process

with the current therapist, Dana Emmons. Based on these findings, the court DENIES the Respondent's request to remove the current reunification therapist, Dana Emmons.

2. The court orders the parties to complete reunification therapy with Dana Emmons. The court concludes that some of the things going on here are misunderstandings. The Respondent thought when Ms. Emmons asked about what happened with the crimes he committed, she was approaching that from the perspective of: that's something the girls want to know about, that's something the girls want to talk about.

3. The court further concludes that Ms. Emmons wanted to hear the Respondent take responsibility and be apologetic to the girls for the fact that his criminal acts caused him to be pulled out of their lives – it caused their lives to be turned upside down – so that they could have a healing conversation about that subject where he could apologize and appropriately have the therapist help with that process. Respondent took that as Ms. Emmons wanting to dwell on his criminal acts. This led to a misunderstanding early on that jaundiced Respondent's view of the whole process and caused him to see Ms. Emmons through that perspective.

4. The Respondent is ordered to re-engage in the reunification therapy process. Both parties are ordered to cooperate with the reunification therapy process. Dana Emmons (or her replacement, if necessary) has discretion to decide when the reunification therapy process is complete. If Ms. Emmons does not want to continue for some reason, the parties are to work together in locating and agreeing on another reunification therapist.

5. The court reiterates its prior order restraining the parties from discussing the present legal matter with the children.

6. The court reiterates its prior order restraining the parties from disparaging one another directly to or in the presence of the minor children.

7. The parties are restrained from questioning the minor children about their time with the other parent. Further, there are not to be any statements to the children that are negative or derogatory about the other side or alienating in any way. There will be no interrogating of the parties' minor children about the wrong things or bad things that are happening at the other house. If those kinds of things need to be brought up, they are to be brought up in the context of reunification therapy with the assistance of the reunification therapist.

8. The court acknowledges that the Respondent has not completed reunification therapy. In light of the recommendations from the reunification therapist's recommendations, the Respondent shall be awarded monitored parent-time of the Spring Break holiday this year. The minor children's paternal grandparents, the Respondent's parents, shall be present and monitor the Respondent at all times. This can be done nonchalantly – not where it is upsetting to the children or obvious. The court finds this reasonable as the children and Respondent will be at the grandparent's home for this visit. Respondent's parent-time beyond this Spring Break holiday will not be supervised unless the court so orders it to be.

9. The hearing previously scheduled on May 7, 2021, is hereby stricken.

**[SEE TOP OF FIRST PAGE FOR COURT ENDORSEMENT]**

**Notice Pursuant to Rule 7(j)(4) of the Utah Rules of Civil Procedure**

Notice is hereby given that pursuant to Rule 7(j)(4) of the Utah Rules of Civil Procedure of the District Courts of the State of Utah, that this Order prepared by Petitioner's counsel shall be the Order of the Court unless you file an objection in writing within seven (7) days from the date of the service of this notice.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23<sup>rd</sup> day of June 2021, I served a true and correct copy of the foregoing **ORDER FROM HEARING DATED APRIL 1, 2021** via Electronic Mail to:

**D. Michael Nielsen**  
dmnlaw@q.com  
*Attorney for Respondent*

/s/ Brianne Lee  
Brianne Lee  
*Paralegal for Ryan C. Gregerson*